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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,933	03/22/2000	Mitsuyoshi Watanabe	826.1596/JDH	9169
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GRAHAM, CLEMENT B	
		ART UNIT	PAPER NUMBER	
			3628	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/532,933	WATANABE ET AL.
	Examiner	Art Unit
	Clement B. Graham	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 May 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 5-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 5-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/3/2006 has been entered.
2. Claims 1-4 have been cancelled and claims 5-24 remained pending and claims 25-28 have been added.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,15, are rejected under 35 U.S.C. 103(a) as being unpatentable. Hereinafter Faris U.S Patent 6,903,681.

As per claim 10, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered (see column 10 lines 30-33) commodity data storing unit storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price depending on a time. (Note abstract and see column 2 lines 11-25 and column 8 lines 11-57) and a unit changing a price if the commodity when time is stored in the said registered commodity data storing unit elapses, whereas said unit providing automatic strategic price setting according to time or purchase states of other companies by initially setting the information about the commodity to be transacted see column 2 lines 11-25 and column 8 lines 11-57) and automatically changing from private to public the information about the commodity according to the elapse or transaction states of the other companies based on a public condition. (See column 13 lines 54-67 and column 14-20 lines 1-65).

As per claim 11, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
a registered commodity data storing unit storing information about a sale or purchase desire of a commodity along with a public condition and a unit making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing unit is satisfied (Note abstract and see column 2 lines 11-25 and column 8 lines 11-57) whereas said unit providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the public condition. (See column 13 lines 54-67 and column 14-20 lines 1-65).

As per claim 12, Faris discloses a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising:
storing a desired sale or purchase price of a commodity, and information about a change condition and price and searching for at least one of a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity, and for a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in stored registered commodity information (Note abstract and see column 2 lines 11-25 and column 8 lines 11-57) whereas said searching provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on a public condition. (See column 13 lines 54-67 and column 14-20 lines 1-65).

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As per claim 13, Faris discloses a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising:

storing a desired sale or purchase price of a commodity, and information about-the a condition changing the desired sale or purchase price depending on a time or purchase and sale states of other companies (Note abstract and see column 2 lines 11-25 and column 8 lines 11-57) and changing a desired price of the commodity when a stored time elapses, whereas said changing provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on a public condition. (See column 13 lines 54-67 and column 14-20 lines 1-65).

As per claim 14, Faris discloses a computer-readable storage medium on which is recorded a program for causing a computer to perform a process aiding in a purchase and a sale of a commodity, said process comprising:

storing information about a sale or purchase desire of a commodity along with a public condition and making the sale or purchase desire of the commodity public if the stored public condition is satisfied, whereas said making provides automatic strategic price setting according to the elapse of time or the purchase and sale states of other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 15, Faris discloses an electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising:
storing a desired sale or purchase price of a commodity (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57), and information about a change condition and a change price of the desired sale or

purchase price for changing the desired sale or purchase price according to elapse of time or purchase and sale states of other companies; and changing a price if the information about the change condition or the change price in the stored information is satisfied, the whereas said changing provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 16, Faris discloses an electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity, and information about we a change condition and a change price of the desired sale or purchase price and(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) searching for at least one of a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity, and for a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity(Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) in the stored information, as said searching provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the-other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the-a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 17, Faris discloses a n electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity, and information about the change condition and a change price of the desired sale or purchase price and obtaining a registered sale or purchase request corresponding to a sale or purchase request by searching for a desired price and a change condition of the desired price of a transaction partner that registers a sale of a designated commodity in response to the purchase request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). and for a desired price and a change condition of the desired price of a transaction partner that registers a purchase of a designated commodity in response to the sale request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity, in the stored information, whereas said obtaining provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 18, Faris discloses a n electronic commerce method aiding in a purchase and a sale of a commodity in an electronic commerce system, comprising: storing a desired sale or purchase price of a commodity(Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). and information about the a change condition and a change price of the desired sale or purchase price and obtaining a registered sale or purchase request corresponding to a designated desired price by searching for a desired price and a change condition of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity(see column 13 lines 54-67 and

column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). and for a desired price and a change condition of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity, in registered commodity information stored in said registered commodity data storing unit, whereas said obtaining provides automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 19, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising: registered commodity data storing means for storing a desired sale or purchase price of a commodity, and information about a change condition and a change price of the desired sale or purchase price and means for changing a price if the information about the change condition or the change price(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) which is registered to said registered commodity data storing means, is satisfied, whereas said means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of to-other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 20, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising: registered commodity data storing means for storing a desired sale or purchase price of a commodity, and information about change condition and a change price of the desired sale

or purchase price and searching means for searching for at least one of a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating the commodity(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) and for a desired price and information about a change condition and a change price of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating the commodity, in registered commodity information stored in said registered commodity data storing means, whereas said searching means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 21, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:
registered commodity data storing means for storing a desired sale or purchase price of a commodity, and information about change condition and a change price of the desired sale or purchase price and searching means for obtaining a registered sale or purchase request corresponding to a sale or purchase request by searching for a desired price and a change condition of the desired price of a transaction partner that registers a sale of a designated commodity in response to the purchase request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). and for a desired price and a change condition of the desired price of a transaction partner that registers a purchase of a designated commodity in response to the sale request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) in registered commodity

information stored in said registered commodity data storing means, whereas said searching means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the a public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 22, Faris discloses an electronic commerce system aiding in a purchase and a sale of commodity, comprising:
registered commodity data storing means for storing a desired sale or purchase price of a commodity, and information about change condition and a change price of he desired sale or purchase price and searching means for obtaining a registered sale or purchase request corresponding to a designated desired price(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). by searching for a desired price and a change condition of the desired price of a transaction partner that registers a sale of a designated commodity in response to a purchase request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity, and for a desired price and a change condition(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 .lines 11-57). of the desired price of a transaction partner that registers a purchase of a designated commodity in response to a sale request designating a desired price of a commodity and a condition which can be satisfied in a transaction of the commodity, in registered commodity information stored in said registered commodity data storing means(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). whereas said searching means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the-other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the public condition. (Note abstract

and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 23, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

registered commodity data storing means for storing a desired sale or purchase price of a commodity, and information about a condition changing the desired sale or purchase price depending on a time (see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).and means for changing a desired price of the commodity when a time stored in said registered commodity data storing means elapses, whereas said means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of the other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 24, Faris discloses an electronic commerce system aiding in a purchase and a sale of a commodity, comprising:

registered commodity data storing means for storing information about a sale or purchase desire of a commodity along with a public condition and means for making the sale or purchase desire of the commodity public if the public condition stored in said registered commodity data storing means is satisfied(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). whereas said means providing automatic strategic price setting according to the elapse of time or the purchase and sale states of other companies by initially setting the information about the commodity to be transacted and automatically changing from private to public the information about the commodity according to the elapse of time or transaction states of the other companies, based on the public condition. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claims 25, 9, Faris discloses an electronic commerce system aiding in purchase and sale of commodities, comprising:
first and second registered commodity data storing units, each storing at least information identifying commodities associated with registering transaction partners, commodity prices, and information relating to public disclosure indicating whether other transaction partners are allowed access to the commodity prices;
a unit searching for a first commodity identified by the information stored in said first registered commodity data storing unit as publicly disclosed and identified by the information stored in the second registered commodity data storing unit(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). and reading price change conditions including the information identifying a second commodity transacted with the first commodity, which are registered for another transaction partner; and a sale and purchase situation judgment unit judging both the first commodity and the second commodity as tradable candidates, if the information identifying the second commodity is stored in the first registered commodity data storing unit as publicly disclosed or publicly disclosed by referring to the information of the second commodity registered in association with the first commodity in the second registered commodity data storing unit. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 26, Faris discloses further comprising outputting transaction completion information of the first and second commodities when a first price of the first commodity stored in the first registered commodity data storing unit matches a changed price obtained based on a change condition of a second price for the first commodity registered in the second registered commodity data storing unit, and a third price for the second commodity stored in the first registered commodity data storing unit matches a fourth price for the second commodity registered in the second registered commodity data storing unit. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claim 27, Faris discloses a computer-readable storage medium storing a program for aiding in purchase and sale of commodities that when executed causes a computer to perform a process comprising:
storing in a first registered commodity data storing unit at least information identifying a first set of commodities, commodity prices, and information relating to public disclosure, indicating whether other transaction partners are allowed access to the commodity prices, in association with a first transaction partner for each commodity handled by the first transaction partner(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) searching for a first commodity identified by the information stored in the first registered commodity data storing unit as publicly disclosed that corresponds to the information identifying the first commodity from a second registered commodity data storing unit storing the information identifying a second set of commodities, a commodity price, and price change conditions including the information of a second commodity transacted with the first commodity, which are registered for a second transaction partner(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) and judging both the first and second commodities as tradable candidates, if the information identifying the second commodity is stored in the first registered commodity data storing unit as publicly disclosed or public disclosed, by referring to the information of the second commodity registered in association with the first commodity from the second registered commodity data storing unit. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

As per claims 28, 5-8, Faris discloses an electronic commerce method aiding in purchase and sale of commodities, comprising:
storing as first registered commodity data for a first transaction partner, at least information identifying a first set of commodities and for each commodity in the first set, a commodity price and information relating to public disclosure, indicating whether access by other transaction partners is allowed(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57) searching for the information identifying a first commodity included in the first registered commodity data as publicly

disclosed that matches the information identifying the first commodity in second registered commodity data containing information identifying a second set of commodities handled by other transaction partners and, for each commodity in the second set, the commodity price and price change conditions(see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57). including information identifying a second commodity transacted with the first commodity; and judging both the first and second commodities as tradable candidates, if the information identifying the second commodity is stored in the first registered commodity data as publicly disclosed or publicly nondisclosed, by referring to the information identifying the second commodity registered in association with the first commodity in the second registered commodity data. (Note abstract and see column 13 lines 54-67 and column 14-20 lines 1-65 and see column 2 lines 11-25 and column 8 lines 11-57).

Conclusion

Response to Arguments

5. Applicant's arguments files on 5/3/06 have been fully considered but they are moot in view of new grounds of rejections.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 1am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

July 20, 2006



FRANTZY POINVIL
PRIMARY EXAMINER

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